

REMARKS

In response to the Office Action mailed March 27, 2007, in connection with the above-identified application, Applicants elect a group of claims analogous to Group 23 but directed to a different class of antibodies and fragments thereof as reflected in the Group 23 claims as amended herein. Specifically, Applicants elect claims directed to an antibody (or fragment thereof) that specifically bind to a polypeptide having an approximate molecular weight of 55 or 115 kDa, namely amended claims 111 to 113, for prosecution in the above-identified application. Applicants elect the species of the amended Group 23 claims, namely at least 80% identical to SEQ ID NO:5 for prosecution in the above-identified application. Although the Group 23 claims and species have been amended herein, Applicants believe that this election is fully responsive to the restriction requirement. Claims 2, 5, 7, 10 to 14, 19, 22 to 25, 41 to 43 and 48 have been canceled without prejudice. Applicants maintain the right to prosecute the canceled claims in any related application claiming the benefit of priority of the subject application. Claims 114 to 134, directed to the elected invention, have been added. Accordingly, upon entry of this response, claims 111 to 134 are under consideration.

Regarding the Claim Amendments

The amendments to the claims are supported throughout the specification. In particular, the amendment to claim 111 to recite that the antibody or functional fragment specifically binds a polypeptide having an approximate molecular weight of "55 or 115" kDa is supported, for example, at page 55, lines 6-8. The amendments to claims 111 to 113 to recite that the antibody or fragment comprises a sequence having a specified minimum percent identity to SEQ ID NO:5 or SEQ ID NO:7 is supported, for example, by originally filed claims 24, 25, 32 and 34, at page 2, lines 8-10, at page 16, lines 16-26, and at page 21, lines 18-21. Thus, as the claim amendments are supported by the specification, no new matter has been added and entry thereof is respectfully requested.

Regarding the New Claims

New claims 114 to 134 are supported throughout the specification. In particular, claims 114 to 119 are supported, for example, by originally filed claims 24, 25, 32 and 34, and at page 16, lines 16-26. Claim 120 is supported, for example at page 27, lines 5-10, and at page 28, lines 10-24. Claims 121 and 122 are supported, for example, by originally filed

line 1. Claim 123 is supported, for example, by originally filed claims 15, 16, 32 and 34. Claim 124 is supported, for example, by originally filed claim 12. Claim 125 is supported, for example, at page 28, line 26, to page 29, line 7. Claim 126 is supported, for example, by originally filed claim 10, and at page 54, Table 4 and Figures 1C and 1D. Claim 127 is supported, for example, by originally filed claim 10. Claim 128 is supported, for example, by originally filed claim 6, and at page 58, lines 24-26, and Figures 8A and 8B. Claim 129 is supported, for example, by originally filed claim 1, and at page 57, lines 1-4, and Figures 7 and 9. Claim 130 is supported, for example, by originally filed claim 1, and at page 55, lines 16-22. Claims 131 and 132 are supported, for example, by originally filed claims 32 and 34. Claim 133 is supported, for example, by originally filed claim 42. Claim 134 is supported, for example, by originally filed claim 49. Thus, as claims 114 to 134 are supported by the specification, no new matter has been added and entry thereof is respectfully requested.

CONCLUSION

If the Examiner would like to discuss any of the issues raised in the Office Action, Applicant's representative can be reached at (858) 509-4065. Please charge any fees associated with the submission of this paper to Deposit Account Number 033975. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Respectfully submitted,

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